

Remarks

1. Summary of Office Action

a. Claim Objections

In the Office Action mailed October 6, 2006, the Examiner objected to the recitation of “a frame, a guide rail” in claim 1 as not being identified in the specification or drawings.

b. Claim Rejections – 35 U.S.C. § 112

The Examiner rejected claims 1 and 3 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

c. Claim Rejections – 35 U.S.C. § 102 and 103

The Examiner rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,894,753 (Wadell). In addition, under 35 U.S.C. § 103(a), the Examiner rejected claims 1 and 2 as being obvious over a combination of U.S. Patent No. 5,793,614 (Tollbom) and U.S. Patent No. 6,752,641 (Puri), and also claim 3 as being obvious over a combination of Wadell and Puri.

2. Status of Application

As indicated above, Applicant has amended the disclosure to correct for typographical errors, and submitted a replacement sheet for Figure 1. Additionally, Applicant has amended claims 1-3 to further clarify the claimed subject matter.

Claims 1-3 are pending in this application. Of these claims, claim 1 is in independent format, and the rest are in dependent format.

As recited in claim 1, an in/ejector and shelf structure grounded to a frame ground of a card is disclosed. The structure includes a shelf having a guide supporter, wherein the guide

supporter comprises an elastic conductive element. Additionally, the structure includes an in/ejector that is grounded to the guide supporter via the elastic conductive element.

3. Response to Rejections

a. Response to 35 U.S.C. § 102 Rejection of Independent Claim 1

The Examiner rejected independent claim 1 under 35 U.S.C. § 102(b) as being anticipated by Wadell. Under M.P.E.P. § 2131, for a reference to anticipate a claim, the reference must teach each and every element of the claim. Applicant respectfully traverses the anticipation rejection of independent claim 1, because Wadell fails to teach each and every element of independent claim 1. For instance, Wadell fails to disclose “a shelf having a guide supporter, . . . wherein the guide supporter comprises an elastic conductive element; . . . [and] an in/ejector . . . grounded to the guide supporter via the elastic conductive element.”

In the Office Action mailed October 6, 2006, the Examiner argued that the ground bars 40 of Wadell anticipate the “guide supporter” disclosed in claim 1, and that the ears 39 anticipate the “in/ejector” disclosed in claim 1. *See* Office Action, page 3. However, Wadell fails to disclose the ground bars 40 comprising an “elastic conductive element.” Additionally, Wadell fails to disclose the ears 39 grounded to the ground bars 40 via the “elastic conductive element.” *See, e.g.,* Wadell Figure 1; col. 3, lines 6-9. As such, Wadell fails to disclose “a shelf having a guide supporter, . . . wherein the guide supporter comprises an elastic conductive element; . . . [and] an in/ejector . . . grounded to the guide supporter via the elastic conductive element.”

As such, Wadell fails to teach or disclose each and every element of independent claim 1.

b. Response to 35 U.S.C. § 103 Rejection of Independent Claim 1

The Examiner rejected independent claim 1 under 35 U.S.C. § 103(a) as being obvious over a combination of Tollbom and Puri. Under M.P.E.P. § 2143, in order to establish a *prima*

facie case of obviousness of a claim over a combination of references, the Examiner must establish that the combination discloses or suggests every element recited in the claim. Applicant respectfully traverses the obviousness rejection of independent claim 1, because the combination of Tollbom and Puri fails to disclose every element of independent claim 1. For instance, the combination of Tollbom and Puri fail to disclose “a shelf having a guide supporter, . . . wherein the guide supporter comprises an elastic conductive element; . . . [and] an in/ejector . . . grounded to the guide supporter via the elastic conductive element.”

In the Office Action mailed October 6, 2006, the Examiner argued that the lower rail 26 of Tollbom anticipates the “guide supporter” disclosed in claim 1, and that the handle 82 anticipates the “in/ejector” disclosed in claim 1. *See* Office Action, page 7. However, Tollbom fails to disclose the lower rail 26 comprising an “elastic conductive element.” Additionally, Tollbom fails to disclose the handle 82 grounded to the lower rail 26 via the “elastic conductive element.” *See, e.g.*, Tollbom Figure 1; col. 2, lines 36-39. Hence, Tollbom fails to disclose “a shelf having a guide supporter, . . . wherein the guide supporter comprises an elastic conductive element; . . . [and] an in/ejector . . . grounded to the guide supporter via the elastic conductive element.”

Furthermore, Puri fails to make up for this deficiency in Tollbom. In the Office Action mailed October 6, 2006, the Examiner argued that the sub-rack cavity forming member 24 of Puri anticipates the “guide supporter” disclosed in claim 1. *See* Office Action, page 5. However, Puri fails to disclose the sub-rack cavity forming member 24 comprising an “elastic conductive element.” Additionally, Puri fails to disclose the ejector member 14 grounded to the sub-rack cavity forming member 24 via the “elastic conductive element.” *See, e.g.*, Puri, Figures 1-3. Hence, Puri fails to disclose “a shelf having a guide supporter, . . . wherein the guide supporter

comprises an elastic conductive element; . . . [and] an in/ejector . . . grounded to the guide supporter via the elastic conductive element.”

Given that the combination of Tollbom and Puri fails to disclose each and every element of claim 1, Applicant respectfully submits that a *prima facie* case of obviousness of independent claim 1 does not exist. As such, Applicant respectfully submits claim 1 is in condition for allowance.

c. Response to Rejection of Dependent Claims 2 and 3

Without addressing the Examiner’s statements regarding the pending dependent claims 2 and 3, which are not conceded, Applicant points out that each of these claims depend from and incorporate the limitations of independent claim 1, which, as discussed above, are allowable over the cited art. Accordingly, claims 2 and 3 are allowable for at least the reason that they each depend from an allowable claim. Applicant respectfully requests that the Examiner withdraw the rejections of the pending dependent claims.

4. Conclusion

For the foregoing reasons, Applicant submits that all of the pending claims are in condition for allowance. Therefore, Applicant respectfully requests favorable reconsideration and allowance.

Should the Examiner wish to discuss any aspect of this case, the Examiner is invited to call the undersigned at (312) 913-3340.

Respectfully submitted,

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